

UNITED STATES DISTRICT COURT

Southern

District of

New York

NIPPON YUSEN KAISHA  
a.k.a. NYK LINE

SUMMONS IN A CIVIL ACTION

V.

Q.P.S. MATERIALS, INC.

CASE NUMBER:

08 CV 00487

WHP

TO: (Name and address of Defendant)

Q.P.S. MATERIALS, INC.  
1020 Sharon Park Drive  
Menlo Park, CA 94025

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

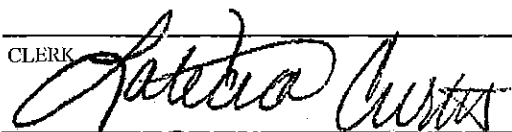
Cichanowicz Callan Keane Vengrow & Textor, LLP  
61 Broadway, New York, NY 10006  
(212) 344-7042

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**JAN 18 2008**

CLERK



(By) DEPUTY CLERK

DATE

NIPPON YUSEN KAISHA A.K.A. NYK LINE

Plaintiff(s)

Index # 08 CV 487

- against -

Purchased January 18, 2008

Q.P.S. MATERIALS, INC.

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF Calif. : COUNTY OF San MateoFrank Kaul BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF  
EIGHTEEN YEARS AND RESIDES AT 500 Alameda St. #105, Redwood City, Ca. 94063

That on February 8, 2008 at 10:20 AM at

1020 SHARON PARK DRIVE  
MENLO PARK, CA94025deponent served the within SUMMONS & VERIFIED COMPLAINT; RULE 7.1 STATEMENT; JUDGES RULES on Q.P.S. MATERIALS,  
INC. therein named,CORPORATION a FOREIGN corporation by delivering thereat a true copy of each to BENNY SZETO personally, deponent knew  
said corporation so served to be the corporation described in said SUMMONS & VERIFIED COMPLAINT; RULE  
7.1 STATEMENT; JUDGES RULES as said Defendant and knew said individual to be the PRESIDENT thereof.

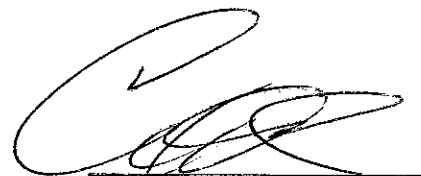
Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx.)</u>
<u>MALE</u>	<u>YELLOW</u>	<u>BLACK</u>	<u>50</u>	<u>5'11</u>	<u>190</u>

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and  
described as the Defendant in this action.

Sworn to me on:

Notary:

  
 Server: Frank Kaul

Invoice #: 456165

# Jurat

State of California

County of San Mateo

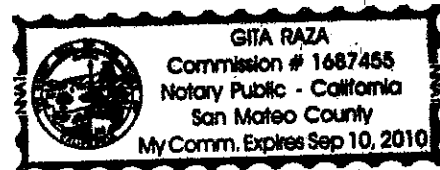
Subscribed and sworn to (or affirmed) before me on this 15<sup>th</sup> day of February 2008,  
20 by Frank Kou

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

*Gita Raza*

(Notary seal)



## OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

(Additional information)

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document